

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	James B. Moran	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	98 C 699	DATE	10/17/2001
CASE TITLE	Kenneth Bockwoldt, Jr. Vs. Officer Daniel J. Cheney		

[In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]

MOTION:

Memorandum Opinion and Order

DOCKET ENTRY:

(1) Filed motion of [use listing in "Motion" box above.]

(2) Brief in support of motion due _____.

(3) Answer brief to motion due _____. Reply to answer brief due _____.

(4) Ruling/Hearing on _____ set for _____ at _____.

(5) Status hearing[held/continued to] [set for/re-set for] on _____ set for _____ at _____.

(6) Pretrial conference[held/continued to] [set for/re-set for] on _____ set for _____ at _____.

(7) Trial[set for/re-set for] on _____ at _____.

(8) [Bench/Jury trial] [Hearing] held/continued to _____ at _____.

(9) This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to]
 FRCP4(m) General Rule 21 FRCP41(a)(1) FRCP41(a)(2).

(10) [Other docket entry] Enter Memorandum Opinion and Order. Plaintiff has moved for a new trial, for judgment notwithstanding the verdict, and additional time for supporting memorandum. With one exception we deny the motions for a new trial or for judgment. While we note that plaintiff raised no objection at the time, we think he is at least entitled to support his position with a memorandum. That should be filed by October 30, 2001. Defendant may respond by November 9, 2001.

(11) [For further detail see order attached to the original minute order.]

No notices required, advised in open court.		<p>10/17/2001</p> <p>WAH</p> <p>courtroom deputy's initials</p>	<p>number of notices OCT 18 2001 date docketed docketing deputy initials CM Date/time received in central Clerk's Office 01 OCT 17 PM 2:30 mailed notice mailing deputy initials 53</p>	Document Number
No notices required.				
Notices mailed by judge's staff.				
Notified counsel by telephone.				
Docketing to mail notices.				
Mail AO 450 form.				
Copy to judge/magistrate judge.				

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DOCKETED
OCT 18 2001

KENNETH BOCKWOLDT, JR.,)
Plaintiff,)
vs.) No. 98 C 699
OFFICER DANIEL J. CHENEY,)
individually,)
Defendant.)

MEMORANDUM OPINION AND ORDER

Plaintiff has moved for a new trial, for judgment notwithstanding the verdict (now judgment as a matter of law; *see Fed.R.Civ.P. 50*), and additional time for supporting memorandum. With one exception we deny the motions for a new trial or for judgment. Defendant's expert provided an ample basis for the verdict. We are troubled, however, by the remark the court made prior to repeating a jury instruction to the jury. While we note that plaintiff raised no objection at the time, we think he is at least entitled to support his position with a memorandum. That should be filed by October 30, 2001. Defendant may respond by November 9, 2001.

James B. Moran
JAMES B. MORAN
Senior Judge, U. S. District Court

Oct. 17, 2001.